

Docket Number

CITY OF BUFFALO
COUNTY OF ERIE STATE OF NEW YORK

CD #: 17-0010506

The People of the State of New York

vs.

JAMES KISTNER DOB: 04/03/1960
37 SCHMARBECK
BUFFALO, NY

INFORMATION / COMPLAINT

I, Police Officer LAUREN M. MCDERMOTT, a police officer herein, accuse JAMES KISTNER, the DEFENDANT of this action, and charge that on or about Sunday, January 1, 2017 at 33 SCHMARBECK AV in the CITY OF BUFFALO, County of ERIE, at about 10:54 AM, said DEFENDANT did commit the offense of:

DISORDERLY CONDUCT

a VIOLATION contrary to the provisions of section 240.20, subsection(s) 03 of the Penal Law of the State of New York.

THE SAID DEFENDANT, AT THE AFORESAID TIME AND PLACE, WITH INTENT TO CAUSE PUBLIC INCONVENIENCE, ANNOYANCE OR ALARM, OR RECKLESSLY CREATING A RISK THEREOF, WHILE IN A PUBLIC PLACE, DID USE ABUSIVE OR OBSCENE LANGUAGE, OR MADE AN OBSCENE GESTURE. IN THAT THE DEFENDANT DID INTENTIONALLY THROW HIS BODY INTO THE DRIVER'S SIDE MIRROR OF PATROL VEHICLE #473, CAUSING THE MIRROR TO BECOME DISLODGED FROM THE VEHICLE AND ALSO CAUSING THE DRIVER'S SIDE WINDOW TO MALFUNCTION, THE VALUE OF SAID DAMAGE TO EXCEED \$250.00 AND WHILE AT BEING TREATED AT ECMC THE DEFENDANT DID USE OBSCENE AND OFFENSIVE LANGUAGE TOWARD OFFICERS AND MEDICAL STAFF. SAID ACTIONS BY THE DEFENDANT DID CAUSE A PUBLIC ANNOYANCE AND ALARM.

ALL CONTRARY TO THE PROVISIONS OF THE STATUTE IN SUCH CASES MADE AND PROVIDED. THE ABOVE ALLEGATIONS OF FACT ARE MADE BY THE COMPLAINANT HEREIN ON DIRECT KNOWLEDGE.

Therefore, the complainant requests that said defendant be dealt with according to the provisions of the Criminal Procedure Law, and according to law.

NOTICE

(Penal Law, Section 210.45)

It is a crime, punishable as a Class A Misdemeanor under the Laws of the State of New York, for a person, in a written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.


Complainant

Subscribed and sworn to me this
1st of January, 2017